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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/746,924	12/22/2000	Gopal Parupudi	MS1-696US	3998

22801 7590 01/28/2004

LEE & HAYES PLLC  
421 W RIVERSIDE AVENUE SUITE 500  
SPOKANE, WA 99201

EXAMINER
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PILLAI, NAMITHA

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 01/28/2004

13

Please find below and/or attached an Office communication concerning this application or proceeding.

PR9

# Office Action Summary

Application No.

09/746,924

Applicant(s)

PARUPUDI ET AL.

Examiner

Namitha Pillai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 30 October 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 2-7,9-30,32-39,41-46 and 48 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-7,9-30,32-39,41-46 and 48 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 8-12.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 2-7, 9-21, 23- 30, 32-36, 38-39, 41-46 and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over U. S. Patent No. 6,522,875 B1 (Dowling et al.) and U. S. Patent No. 6,343,291 B1 (Goldman).

Referring to claim 2, Dowling discloses acquiring applets, represented as the web applications, which can be downloaded, associated with a determined location (column 15, lines 33-36). Dowling discloses that once the digital data or applets are acquired based on a determined location, the portable local device is then allowed to interact with a location environment, wherein mobile unit can interact with a movie theater web pages that have information related to movie theaters within the determined location (column 4, lines 22-28). Dowling discloses downloading the applets into the mobile unit, and viewing the data through the output device, this viewing including locally executing these applets (column 15, lines 30-39), allowing for the user to interact with the web page. Dowling discloses accessing a "list/database" containing information concerning physical and logical locations and accessing this information (column 11, lines 55-65). But Dowling does not disclose that these databases are hierarchical tree structures, wherein the nodes would be traversed to access the information concerning the device location, as stated in the claims. Goldman discloses creating and using an

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organized hierarchical structure with nodes representing location based information, wherein the tree would be traversed to access a specific node containing the information that is needed (column 2, lines 56-64 and column 9, lines 9-10). It would have been obvious for one skilled in the art, at the time of the invention to learn from Goldman to implement a hierarchical structure to represent the physical or logical locations, wherein information concerning the location of the device would be accessed by traversing the structure. Dowling discloses using some kind of database storage structure to store and access the information necessary to access and display the service information to a user. Goldman clearly teaches taking such a database and using a hierarchical structure, wherein this hierarchical structure would provide a better-organized structure, with a meaningful organization method, wherein the information can be traversed more efficiently and the information can be easily accessed (column 5, lines 37-40).

Referring to claim 3, Dowling and Goldman disclose accessing a database structure that is a hierarchical tree structure locally (Dowling, column 4, lines 41-45).

Referring to claim 4, Dowling and Goldman also disclose a central database server, serving as a source remote from the device, with the database structure being a hierarchical tree structure (Dowling, column 4, lines 33-35).

Referring to claim 5, Dowling and Goldman disclose accessing the remotely located information through a wireless connection, wherein the information includes database structures that are hierarchical trees (column 5, lines 66-67 and column 4, lines 33-35).

Referring to claim 6, Dowling and Goldman disclose receiving location information from multiple different location providers, the information represented as transmissions from the local broadcast domain entity and based on this transmission information, performing the acts of

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traversing and accessing, wherein accessing is done based on receiving information from the local broadcast domain and the act of traversing is possible when based on the location information the local broadcast entity (Dowling, reference number 150, Figure 1) is traversed to reach the Internet (Dowling, reference number 122, Figure 1) to receive the location information (Dowling, column 6, lines 48-65).

Referring to claim 7, as seen in Figure 1 of Dowling, of the means by which a mobile unit, without connection to any particular system, would access domain data, separate from the mobile unit (reference number 105 and 145, Figure 1), wherein the information would be received wirelessly from multiple different location providers the information represented as transmissions from the local broadcast domain entity and based on these transmission information, wherein accessing is done based on receiving information from the local broadcast domain and the act of traversing is possible when based on the location information the local broadcast entity (reference number 150, Figure 1) is traversed to reach the Internet (reference number 122, Figure 1) to receive the location information (column 6, lines 48-65).

Referring to claims 9 and 10, Dowling and Goldman disclose that the digital data comprises data used to render a Web page, wherein the user can interaction with this Web page (Dowling, column 1, lines 8-12).

Referring to claim 11, Dowling discloses pointers that reference software code that can be downloaded, the software coded represented as the HTML code which would be downloaded in reference to the downloading of the web pages (column 4, lines 21-26), wherein as stated earlier by Dowling, the connection and hence the downloading from the server to the mobile device would be through a wireless connection (column 5, lines 66-67).

Referring to claim 12, Dowling discloses using pointers to access and load the software code on the device and executing the software code on the device, wherein displaying of the web pages involve execution of the corresponding HTML code (column 15, lines 17-42).

Referring to claims 13 and 42, Dowling discloses using pointers to access and load the software code on the device and executing the software code on the device (column 15, lines 20-24), wherein displaying of the web pages involve execution of the corresponding HTML code in the runtime environment, which would be the web browser, used to run the web page applications (column 15, lines 17-42).

Referring to claim 14, Dowling discloses that the digital data comprises applets, which has explained by Dowling is represented as the application data within the web pages, that are executed on the device (column 15, lines 30-36).

Referring to claim 15, Dowling discloses downloading the applets into the mobile unit, and viewing the data through the output device, this viewing including locally executing these applets (column 15, lines 30-39).

Referring to claim 16, Dowling discloses acquiring the digital data via the Internet through a wireless connection (column 5, lines 66-67 and column 6, lines 14-16).

Referring to claims 17, 18, 38, 39, 45 and 46, Dowling discloses a handheld portable computing device programmed with instructions to implement the method stated in claims 1, 31 and 40 (column 7, lines 20-25).

Referring to claims 19, Dowling discloses computer-readable media with computer readable instruction which would be used in the laptop and dash-mounted vehicle computers, wherein the instruction would carry out the methods as stated in claim1 (column 7, lines 22-25).

Referring to claim 20, Dowling discloses acquiring applets, represented as the web applications, which can be downloaded, associated with a determined location (column 15, lines 33-36). Dowling discloses downloading the applets into the mobile unit, and viewing the data through the output device, this viewing including locally executing these applets (column 15, lines 30-39), allowing for the user to interact with the web page. Dowling discloses accessing a "list/database" containing information concerning physical and logical locations and accessing this information (column 11, lines 55-65). But Dowling does not disclose that these databases are hierarchical tree structures, wherein the nodes would be traversed to access the information concerning the device location, as stated in the claims. Goldman discloses creating and using an organized hierarchical structure with nodes representing location based information, wherein the tree would be traversed to access a specific node containing the information that is needed (column 2, lines 56-64 and column 9, lines 9-10). It would have been obvious for one skilled in the art, at the time of the invention to learn from Goldman to implement a hierarchical structure to represent the physical or logical locations, wherein information concerning the location of the device would be accessed by traversing the structure. Dowling discloses using some kind of database storage structure to store and access the information necessary to access and display the service information to a user. Goldman clearly teaches taking such a database and using a hierarchical structure, wherein this hierarchical structure would provide a better-organized structure, with a meaningful organization method, wherein the information can be easily accessed (column 5, lines 37-40).

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Referring to claims 21, 36 and 43, Dowling discloses maintaining a cache of the web application including any applets information, wherein the information can be cached for use on the device (column 15, lines 39-41).

Referring to claim 23, Dowling discloses a request or query used to identify particular web applications that are associated with the location (column 15, lines 33-36).

Referring to claim 24, Dowling discloses querying a server to ascertain applets that are associated with the location and that provide a location specific service (column 4, lines 21-30 and column 15, lines 33-36).

Referring to claim 25, Dowling discloses receiving a response from the server that contains digital data associated with services that are provided for that location (column 10, lines 13-38).

Referring to claims 26 and 34, Dowling discloses accessing web applications, applets represented as web pages, thereby inherently suggesting the presence of URLs that would be associated with this digital data (column 10, lines 34-37).

Referring to claim 27, Dowling discloses digital data that comprises applets or web applications as disclosed by Dowling, wherein these web applications are associated with the current location (column 15, lines 34-36).

Referring to claims 28, 29, Dowling discloses a handheld portable computing device programmed with instructions to implement the method stated in claim 20 (column 7, lines 20-25).

Referring to claim 30, Dowling discloses computer-readable media with computer readable instruction which would be used in the laptop and dash-mounted vehicle computers,



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wherein the instruction would carry out the methods as stated in claim 20 (column 7, lines 22-25).

Referring to claim 32, Dowling discloses determining the device's location and generating a service query that is configured to identify services that are associated with the location (column 4, lines 21-26). Dowling discloses the communication involving wireless connections, wherein any communication with the client/mobile unit and server would be through a wireless connection, as applied to any queries to the server (column 5, lines 66-67). Dowling discloses receiving a response from the server, which contains the digital data represented as web applications or applets that can be executed by the device, wherein the execution would be necessary to display the web page, and providing location specific service. Dowling also discloses locally executing the web applications to interact with a location environment. See column 15, lines 33-36. Dowling discloses accessing a "list/database" containing information concerning physical and logical locations and accessing this information (column 11, lines 55-65). But Dowling does not disclose that these databases are hierarchical tree structures, wherein the nodes would be traversed to access the information concerning the device location, as stated in the claims. Goldman discloses creating and using an organized hierarchical structure with nodes representing location based information, wherein the tree would be traversed to access a specific node containing the information that is needed (column 2, lines 56-64 and column 9, lines 9-10). It would have been obvious for one skilled in the art, at the time of the invention to learn from Goldman to implement a hierarchical structure to represent the physical or logical locations, wherein information concerning the location of the device would be accessed by traversing the structure. Dowling discloses using some kind of database

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storage structure to store and access the information necessary to access and display the service information to a user. Goldman clearly teaches taking such a database and using a hierarchical structure, wherein this hierarchical structure would provide a better-organized structure, with a meaningful organization method, wherein the information can be traversed more efficiently and the information can be easily accessed (column 5, lines 37-40).

Referring to claim 33, Dowling discloses receiving location information from multiple different location providers, the information represented as transmissions from the local broadcast domain entity and based on this transmission information, determining the current location or the local broadcast domain (column 6, lines 48-65). Dowling discloses accessing a "list/database" containing information concerning physical and logical locations and accessing this information (column 11, lines 55-65). But Dowling does not disclose that these databases are hierarchical tree structures, wherein the nodes would be traversed to access the information concerning the device location, as stated in the claims. Goldman discloses creating and using an organized hierarchical structure with nodes representing location based information, wherein the tree would be traversed to access a specific node containing the information that is needed (column 2, lines 56-64 and column 9, lines 9-10). It would have been obvious for one skilled in the art, at the time of the invention to learn from Goldman to implement a hierarchical structure to represent the physical or logical locations, wherein information concerning the location of the device would be accessed by traversing the structure. Dowling discloses using some kind of database storage structure to store and access the information necessary to access and display the service information to a user. Goldman clearly teaches taking such a database and using a hierarchical structure, wherein this hierarchical structure would provide a better-organized

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structure, with a meaningful organization method, wherein the information can be easily accessed (column 5, lines 37-40).

Referring to claim 35, Dowling discloses using digital signed applets and authenticating the digital data that is being accessed by the mobile unit, wherein this digital data can be web applications and web pages, wherein the display of these pages, involve the execution of these applications on the device (column 18, lines 28-35).

Referring to claim 41, Dowling discloses a means through which to wirelessly receive location information and ascertain a location associated with the location information, wherein as seen by Figure 1, the connection with a mobile unit is a wireless connection, through which the location information is acquired (column 6, lines 50-65). Dowling discloses means for receiving and managing applets or web applications that can be wirelessly accessed, the wireless connection being obvious for mobile units, and that pertain to a location and the web applications allowing the users to interact with the location environment through a mobile unit (column 15, lines 30-35). Dowling discloses accessing a "list/database" containing information concerning physical and logical locations and accessing this information (column 11, lines 55-65). But Dowling does not disclose that these databases are hierarchical tree structures, wherein the nodes would be traversed to access the information concerning the device location, as stated in the claims. Goldman discloses creating and using an organized hierarchical structure with nodes representing location based information, wherein the tree would be traversed to access a specific node containing the information that is needed (column 2, lines 56-64 and column 9, lines 9-10). It would have been obvious for one skilled in the art, at the time of the invention to learn from Goldman to implement a hierarchical structure to represent the physical or logical locations,

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wherein information concerning the location of the device would be accessed by traversing the structure. Dowling discloses using some kind of database storage structure to store and access the information necessary to access and display the service information to a user. Goldman clearly teaches taking such a database and using a hierarchical structure, wherein this hierarchical structure would provide a better-organized structure, with a meaningful organization method, wherein the information can be traversed more efficiently and the information can be easily accessed (column 5, lines 37-40).

Referring to claim 44, Dowling discloses establishing wireless communication with a network so that applets or web applications can be wirelessly received (column 5, lines 66-67).

Referring to claim 48, Dowling discloses a means through which to wirelessly receive location information and ascertain a location associated with the location information, wherein as seen by Figure 1, the connection with a mobile unit is a wireless connection, through which the location information is acquired (column 6, lines 50-65). Dowling discloses means for receiving and managing applets or web applications that can be wirelessly accessed, the wireless connection shown for mobile units on Figure 1 (reference number 105 and 145), and that pertain to a location and the web applications allowing the users to interact with the location environment through a mobile unit (column 15, lines 30-35). Dowling discloses using pointers to access and load the software code on the device and executing the software code on the device (column 15, lines 20-24), wherein displaying of the web pages involve execution of the corresponding HTML code in the runtime environment, which would be the web browser (column 16, lines 30-35), used to run the web page applications based on information to interact with the location (column 15, lines 17-42). Dowling discloses maintain a cache of the web

application including any applets information, wherein the information can be cached for use on the device (column 15, lines 39-41). Dowling discloses establishing wireless communication with a network so that applets or web applications can be wirelessly received (column 5, lines 66-67). Dowling discloses accessing a "list/database" containing information concerning physical and logical locations and accessing this information (column 11, lines 55-65). But Dowling does not disclose that these databases are hierarchical tree structures, wherein the nodes would be traversed to access the information concerning the device location, as stated in the claims. Goldman discloses creating and using an organized hierarchical structure with nodes representing location based information, wherein the tree would be traversed to access a specific node containing the information that is needed (column 2, lines 56-64 and column 9, lines 9-10). It would have been obvious for one skilled in the art, at the time of the invention to learn from Goldman to implement a hierarchical structure to represent the physical or logical locations, wherein information concerning the location of the device would be accessed by traversing the structure. Dowling discloses using some kind of database storage structure to store and access the information necessary to access and display the service information to a user. Goldman clearly teaches taking such a database and using a hierarchical structure, wherein this hierarchical structure would provide a better-organized structure, with a meaningful organization method, wherein the information can be traversed more efficiently and the information can be easily accessed (column 5, lines 37-40).

2. Claims 22 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dowling and Goldman as applied to claims 21 and 36, and further in view of "Computer Maintenance, Part 1 First Step: Spring Cleaning" (Jennifer Fulton).

Referring to claims 22 and 37, Dowling discloses downloading new information when the device changes location but Dowling does not disclose what is done with the old information that has been stored in cache (column 11, lines 19-22). Dowling and Goldman do not disclose means for removing the cache data when a device location changes, and certain data is not needed anymore, as stated in the claims. Fulton discusses how information, especially concerning web applications are removed from cache when they are not deemed necessary (page 2, column 1, lines 38-42 and column 2, lines 1-6). It would have been obvious for one skilled in the art, at the time of the invention to learn from Fulton to have a means for removing the cache that has been collected, when the device changes locations. Fulton discloses such a means for removing cache so that unnecessary information will not be present in a client system, such as the mobile unit of Dowling and Goldman's invention, wherein the unnecessary information must be removed in an effort to provide space for the new data that is downloaded as a result of the device changing location. Such a mobile unit, would greatly benefit from having such a removal system, leaving space for much needed information, especially concerning the mobile unit's current environment and the needs of its users. Hence, one skilled in the art, at the time of the invention would have been motivated to learn from Fulton to implement a means for removing unnecessary cache information, to provide more space for the new data that is downloaded and stored in cache when the device has changed its location.

### ***Response to Claim Changes***

3. The Examiner acknowledges Applicant's amendments to claims 2, 6, 7, 9, 11, 14, 16-19, 32-36, 38, 39, 41-46 and 48 to better specify the claimed invention. Claims 1, 8, 31, 40 and 47

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have been cancelled. However, all claims are rejected under 35 U. S. C. 103 as being obvious over the prior arts.

***Response to Arguments***

4. Applicant's arguments filed 10/30/03 have been fully considered but they are not persuasive.

With respect to Applicant's arguments that there is nothing in Goldman that is not directed to determining a location or using a hierarchical tree to determine a location. As treated in the claims, the location in a node of the hierarchical tree is a type of information that is held in distinct node, thereby traversing to a specific node would determine would allow for accessing the location information held in that node. Goldman's main objective is to organize a location tree in hierarchy information based on the information given. Goldman clearly states that the type of information or node types, wherein the type of information held in the nodes are location based types (column 5, lines 10-15), wherein accessing one of these nodes would allow for the location information to be determined based on the information held in the hierarchy tree. Goldman does teach that this tree may be viewed but regardless the structure and the type of information held in this structure is taught as claimed in the present invention, wherein a teaching of this structure would render a combination of Dowling and Goldman obvious.

With respect to Applicant's arguments how Goldman's teachings could be incorporated with Dowling to make the combination obvious. Dowling is a system that deals with a large amounts of data and the databases disclosed by Dowling do not get into the specifics of the structure or type of database and how exactly data is accessed from the database. With Dowling clearly having the portable device that is able to interact with the current geographic location as is also

claimed in the present invention, the description and structure of the database as stated in the claims, wherein the claims stated simply as accessing location data from a hierarchical tree structure with multiple nodes is taught by Goldman. Goldman teaches first creating a information model based as a hierarchical tree with location type information being held in the nodes, and wherein Goldman has clearly taught the benefits of using this precise data structure for organizing information, which is the only specific information lacking in Dowling. Thus such a combination between Dowling and Goldman would render obvious.

### ***Conclusion***

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington D.C. 20231. If applicant desires to fax a response, central FAX number (703) 872-9306 may be used. NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed. Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final



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responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

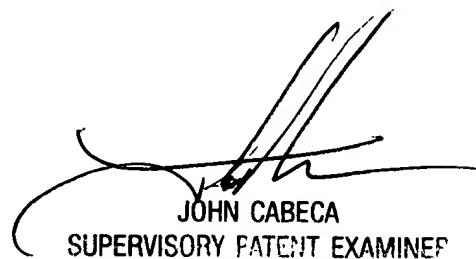
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (703) 305-7691. The examiner can normally be reached on 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Namitha Pillai  
Assistant Examiner  
Art Unit 2173  
January 23, 2004



JOHN CABECA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100